

REMARKS

In the Office Action mailed May 21, 2004, the Examiner maintains the rejections of claims 1-9 as being unpatentable over Ross (US Patent No. 5,553,139) in view of Hasebe (US Patent No. 5,392,351).

Further, the Examiner rejects the newly added independent claim 10 based upon a well known assertion concerning "a composite storage unit" and relies on Ron White's *How Computers Work*, sixth edition, to support the well known allegation (page 14 of the Office Action). Ron White is newly cited, and, thus, newly relied upon.

Claims 1-10 are pending for reconsideration, which is respectfully requested.

An interview with the Examiner and the Examiner's Supervisor was conducted on September 8, 2004, in which the Examiner's Supervisor suggested in the Interview Summary: "It appears that Ross et al. does not teach the claimed feature of "passing down the first license information of the first storage medium to the second storage medium as a successor of the first storage medium and degenerating the first license information in the first storage medium.""

In the event that the Examiner is still not persuaded and would rely on Ross, either alone or as combined, in a next Office Action, if any, the Applicants respectfully request another interview with the Examiner prior to issuance of such next Office Action, because Ross does not relate to the claimed present invention's "license devolution."

Accordingly, the Applicants respectfully request that the Examiner withdraw Ross as a basis to reject the claimed present invention, and the remarks below further support the withdrawal, as follows:

DISTINCTIONS OF THE CLAIMED PRESENT INVENTION OVER ROSS AND HASEBE

Ross does not disclose, suggest, or contemplate, the enduser, in relation to the distribution chain disclosed in FIG. 5, devolving a received license to another user, as in the claimed present invention that provides, "***a second license information ... devolved ... by passing down the first license information ... and degenerating the first license information in the first storage medium,***" and using *media IDs*." Therefore, Ross is only directed to license distribution in a distribution chain to the enduser, and license distribution stops at the enduser. In other words, Ross is absolutely silent on accommodating the enduser devolving or legally copying its licensed content to another. In contrast to Ross and Hasebe, the claimed present invention as recited in independent claims 1, 8, 9, and 10, has a benefit of

allowing electronic information devolution, or legal copying of content, using **media IDs of transferor and transferee**, between any two storage media.

(1) With reference to page 16, lines 1-12, of the Office Action, and in view of the Examiner's comments during the interview, it is understood that the Examiner considers the claimed present invention's, "**degenerating the first license information**," when in Ross a fulfillment agent enables a number of connections for a product for a user, as an enabled license, because according to the Examiner the **user gets** only a reduced or degenerated portion or portion of the license from the original provider, manufacturer or fulfillment agent.

However, the claims recite, "degenerating **the first license information** in the **first storage medium**." In other words, the Examiner alleges that in Ross, the successor's license is degenerated, but in contrast the claimed present invention provides "degenerating **the first license information** in the **first storage medium**," which in relation to second license information, the **content provider's license is degenerated** as "**degenerating the first license information**." Therefore, the Examiner assertion that **user gets** a reduced or degenerated portion or portion of the license from the original provider, differs from the claimed present invention in which the **content provider's license is degenerated** as "**degenerating the first license information**."

Further, Ross also does not disclose or suggest, "degenerating" the license of the manufacturer or the fulfillment agent when enabling a number of connections for the product for the user. **In other words, in Ross, a content provider's license is not degenerated.** Ross, column 5, lines 18-24 and column 6, lines 40-63, discloses, "License inventory extraction database files are distributed to an extractor (i.e., reseller or manufacturer)." However, Ross's license inventory extraction database file does not provide the present claimed invention's "**a second license information** that represents a second right to use the contents **devolved** from the first license information stored on the first storage medium **by passing down the first license information of the first storage medium to the second storage medium as a successor of the first storage medium** and **degenerating the first license information in the first storage medium**," and using **media IDs**. In particular, Ross does not disclose any details about, "License inventory extraction database files," but Ross discloses in column 5, lines 1-18, and FIG. 5, that disabled license sets are provided to an extracting agent, along with enabler keys, to enable the disabled licenses according to license information desired by a user. However, such disabled license delivery and enabling, as shown in FIG. 5, differs from the claimed present invention's, "**a second license information ... devolved ... by passing down**

the first license information ... and degenerating the first license information in the first storage medium,” and using media IDs.”

In other words, Ross in FIG. 3 and column 6, lines 60-67, discloses:

Disabled licenses can be shipped to an extraction agent (e.g., reseller or manufacturer). An extractor can extract and transfer license sets to a final distribution media for shipment (e.g., to an enduser or installation agent). FIG. 3 illustrates a setsToDistributionMedia process flow. At block 302, the disabled licenses shipped to an extraction agent are added to the extraction agent's license extraction database file. At block 304, a final distribution media format can be determined based on the extraction agent's identification value in a license in a license set.

First, Ross does not disclose, suggest, or contemplate, the enduser devolving or legally copying its received licensed content to another user, as in the claimed present invention providing, ***“a second license information ... devolved ... by passing down the first license information ... and degenerating the first license information in the first storage medium,”*** and using ***media IDs.”*** Second, Ross' setsToDistributionMedia process flow of FIG. 3 (also relied upon by the Examiner in page 15, item 7, of the Office Action in connection with FIG. 1, block 106) only discloses how an extractor can prepare media with licensed content thereon for distribution based upon a license extraction database file to extract disabled licenses to be placed on the media for distribution, which differs from the claimed present invention's electronic information devolution or legal copying of a content using ***media IDs of transferor and transferee***, between any two storage media. Third, Ross does not disclose any details as to whether the extractor's license extraction database file is reduced, for being similar to the claimed present invention's “degenerating the first license information in the first storage medium.”

Also dependent claim 2 of the claimed present invention recites one example of, “degenerating the first license information,” by reciting, “wherein said encryption means ***degenerates the first license information*** by encrypting with the first media ID ***a third license information, obtained through subtracting the second license information from the first license information, or*** encrypts with the first media ID both the key and ***a third right of using***, to generate a third encryption secure information and stores the third encryption secure information in the first storage medium” (emphasis added). To reject dependent claim 2, in page 7 of the Office Action, the Examiner relies on FIGS. 2 and 5, and column 3, lines 40-45. However, Ross, FIGS. 2 and 5, only disclose a distribution chain to which disabled licenses and enabler keys are distributed, and column 3, lines 40-45, disclose: “An installer can select the

product and licensing combination(s). Using this selection, the installer obtains the enabler key from the fulfillment agent. The installer uses the enabler key to enable the desired product licensing selection.” This Ross disclosure, differs from the claimed present invention’s, “**a third license information, obtained through subtracting the second license information from the first license information, or** encrypts with the first media ID both the key and **a third right of using**, because the claimed present invention’s, “a third license information,” is a new generated license **at the first storage medium** (i.e., at the content provider) that differs from the previous license after being subject to devolving, whereas in Ross a disabled license is distributed to the distribution chain and enabled according to a user’s desired license. In other words, Ross does not disclose or suggest a change in the extractor’s license extraction database file.

(2) Further, it is clear that Ross’ license disablement by a manufacturer according to an ordinary meaning of “disablement” is to make incapable or ineffective, which differs from the claimed present invention’s “**degenerating the first license information in the first storage medium.**” More particularly, for the reasons also set forth in the Amendment of February 18, 2004, the license disablement of Ross differs from the present claimed invention’s “**license devolution**” configuration of “decoding the first encryption secure information stored in said first storage medium by **reading the first media ID and using the first media ID to obtain the key and the first license information**” and “**reading the second media ID and encrypting the key and a second license information** that represents a second right to use the contents **devolved** from the first license information stored on the first storage medium **by passing down the first license information of the first storage medium to the second storage medium as a successor of the first storage medium** and **degenerating the first license information in the first storage medium**, together with one another or individually, with the read second media ID, **to generate a second encryption secure information with the second media ID for storage in said second storage medium**” (e.g., claim 1, emphasis added).

(3) Further, the prior art of record does not disclose, suggest, or provide any motivation, to use transferee media ID to protect **devolved** electronic content/information. The Examiner acknowledges page 6, line 16, of the Office Action, that Ross does not disclose media ID usage. Therefore, the Examiner relies on Hasebe, FIG. 2 and column 4, lines 10-12 and column 9, lines 1-9, for disclosing media ID usage.

The Examiner, in page 7, lines 2-6, of the Office Action, asserts: "Hasebe deals with protecting of copying electronic data from storage medium having a medium number to another medium, i.e., both are in analogous art." The Examiner also asserts in page 7, lines 7-10, of the Office Action, that: "it would have been obvious to one of ordinary skill in the license/information protection art at the time of applicant's invention to include Hasebe's media IDs in Ross's invention, **because it would provide additional/enhanced protection to electronic data/information in addition to copyright protection**" (emphasis added). However, the prior art relied upon by the Examiner does not provide any suggestion which would have led one of ordinary skill in the art to modify Ross to use media IDs of manufacturer and entities in the manufacturer's distribution chain, such as the extracting agent, the fulfillment agent, and the installer of FIGS. 1 and 5 of Ross, which is relied upon by the Examiner in pages 7 and 15-17, items 7(a), (b), (c), and (d) of the Office Action. This is because, Hasebe discloses protecting permission information of content by using media ID of storage media on which the content is stored, as shown in Hasebe, FIGS. 2 and 3 and column 5, lines 17 to column 6, line 2. Hasebe provides a benefit of protecting the content from illegal copying, because the media ID is a particular personal number for the storage medium, and this medium number cannot be rewritten (i.e., is un-rewritable) by the user, so that even if the media ID is read, the read media ID cannot be copied onto another storage medium for accessing the content (Hasebe, column 5, lines 7-16, column 5, lines 31-33, and column 9, lines 49-53). Therefore, in contrast to Hasebe, the claimed present invention provides a benefit of electronic information devolution, or legal copying of content, using **media IDs of transferor and transferee**, whereas Hasebe prevents copying. Contrary to the Examiner's suggestion in page 7, lines 2-6, of the Office Action, that Hasebe deals with protecting of copying electronic data from storage medium having a medium number to another medium, i.e., both are in analogous art, Hasebe prevents copying, but Hasebe does not disclose or suggest the claimed present invention's benefit of electronic information devolution, or legal copying of content, using **media IDs of transferor and transferee**.

Therefore, the Examiner's stated motivation does not coincide with the problem solved by the present claimed invention. And, therefore, Hasebe does not disclose or suggest, and cannot provide a motivation to modify Ross, to use transferor and transferee's media IDs to provide the present claimed "**license devolution**" configuration in which:

... decoding the first encryption secure information stored in said first storage medium by **reading the first media ID and using the first media ID to obtain the key and the first license information** and

... **reading the second media ID** and encrypting the key and a **second license information** that represents a second right to use the contents **devolved** from the first license information stored on the first storage medium **by passing down the first license information of the first storage medium to the second storage medium as a successor of the first storage medium** and **degenerating the first license information in the first storage medium**, together with one another or individually, with the read second media ID, **to generate a second encryption secure information with the second media ID for storage in said second storage medium** (e.g., claim 1, emphasis added).

Even if one combined Ross and Hasebe, the combined system would not achieve the present claimed invention, because Hasebe does not disclose or suggest reading a second media ID, as a transferee media ID, and if Hasebe is combined with Ross then the manufacturer's distribution chain cannot make copies to distribute licenses. In other words, it is submitted that there is no evidence that the "knowledge available to one of ordinary skill in the art" would have led one of ordinary skill in the art to combining Ross and Hasebe as suggested by the Examiner in page 6, line 16, and page 17, item (d) of the Office Action, or any desirability to modify Hasebe to achieve the claimed present invention. To the contrary, the most reasonable reading of the prior art would suggest that the teachings of the references would be combined in a manner which would not achieve the present claimed invention.

(4) Regarding independent claim 10, the Examiner on page 15, lines 1-4, of the Office Action, asserts that one skilled in the art would combine Ron White with Ross and Hasebe, because, "entailing a system with multiple storage devices and provide a user ease of storage capacity." However, the present claimed invention as recited in independent claim 10 provides a benefit of electronic information devolution, or legal copying of content, using **media IDs of transferor and transferee** by using a computer having a composite storage unit. A composite storage unit alone accommodates only electronic information copying from one storage unit to another in one computer. Ron White's computer with various storage units does not disclose, suggest, or provide any motivation, to modify Ross to use **one computer** having a

composite storage unit, because **one computer** having a composite storage unit cannot be used to distribute licenses among the entities in the manufacturer's distribution chain. Therefore, in contrast to Ross, Hasebe and Ron White, the present claimed invention provides **a computer having a composite storage unit that performs license devolution using media IDs of transferor and transferee**. In contrast to Ross, Hasebe and Ron White, claim 10 expressly recites, "A license devolution **computer, comprising: a composite storage unit comprising a first storage unit, a second storage unit, and a composite storage access unit ... comprising a decoder ... and a devolving unit.**"

Therefore, the Examiner's stated motivation - "entailing a system with multiple storage devices and provide a user ease of storage capacity" - does not coincide with the problem solved by the present claimed invention to provide **a computer having a composite storage unit that performs license devolution using media IDs of transferor and transferee**. And, therefore, Ron White does not disclose or suggest, and cannot provide a motivation to modify Ross and/or Hasebe, to use transferor and transferee's media IDs to provide the present claimed "**license devolution**" configuration of a computer with a composite storage unit as recited in independent claim 10. Further, Ron White does not disclose a "composite storage unit" having "an **access unit** comprising: **a decoder ...**; and a **devolving unit ...**," as recited in independent claim 10, but Ron White only discloses a computer having various storage units.

CONCLUSION

In the event that the Examiner is still not persuaded and would rely on Ross, either alone or as combined, in a next Office Action, if any, the Applicants respectfully request another interview with the Examiner prior to issuance of such next Office Action, because Ross does not relate to the claimed present invention's "license devolution."

In view of the remarks and the Examiner interview of September 8, 2004, the Applicants believe that the present application is in condition for allowance, and withdrawal of the rejections of claims 1-10 and allowance of claim 1-10 is respectfully requested.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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